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Z.J.**FAX COVER LETTER****FROM:**

Sender: Al Payne

Our Ref:

Date: August 21, 1991

**TO:**

Attention: HERZON E. WILLIAMS, Patent Examiner

Company: U.S. Patent &amp; Trademark Office, Art Unit 265

Country/City:

Fax No.: 1-703-308-3718

No. of pages including this cover sheet: 4

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We acknowledge safe receipt of this transmission.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

*Dear Examiner Williams,*

*Per our telephone conference today, attached is the copy of the Terminal Disclaimer filed on May 14, 1991 (via Express Mail) with the divisional application assigned Serial No. 07/699,700.*

*If application serial no. 07/699,700 is not in condition for allowance, please do not hesitate to contact me by telephone.*

*Respectfully submitted,  
Al Payne  
Reg. No. 30,350*

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AUG 21 1991

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"EXPRESS MAIL" CERTIFICATENUMBER: RB 113081848DATE OF DEPOSIT: May 14, 1991

I hereby certify that this paper or fee is being deposited with the United States Postal Service - "Express Mail Post Office To-Addressee" Service under 37 CFR 1.10 on the above indicated date and is addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231

  
Signature of DepositorIN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

In re Application of:

JORAM AGAR

Group Art Unit: 267

Serial No.: (Divisional of 311,610)

Examiner: H. E. Williams

Filed: May 14, 1991

Parent Atty Docket No.: AGA006  
New Atty Docket No.: AGA006AFor: APPARATUS FOR  
DETERMINING THE  
PERCENTAGE OF A FLUID IN  
A MIXTURE OF FLUIDS

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TERMINAL DISCLAIMER PATENT & TRADEMARK OFFICE  
RECEIVEDHonorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

SEP 09 1991

Dear Sir:

I, Alton W. Payne, a representative authorized to sign on behalf of the Assignee identified below, said Assignee owning all of the interest in this application, represent that Agar Corporation, Ltd., Assignee, owns all right, title and interest in the whole of this invention, which is disclosed in this application. I represent that Joram Agar, Assignor, resides at Westbay Road, Grand Cayman, Cayman Islands. I represent that Agar Corporation, Ltd., Assignee, is

CERTIFICATE OF CORRECTION, BR

**TERMINAL DISCLAIMER**  
**Divisional of 311,610**

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located at Westbay Road, Grand Cayman, Cayman Islands. The Assignor, Joram Agar, hereby assigns all right title and interest in this patent application for Apparatus for Determining the Percentage of a Fluid in a Mixture of Fluids to the Assignee, Agar Corporation, Ltd. This assignment may be found at Reel No. 5042, Frame 0785 of Application Serial No. 07/311,610 filed February 15, 1989 for Apparatus and Method for Determining the Percentage of a Fluid in a Mixture of Fluids. I hereby disclaim the terminal part of any patent granted on the above identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any Terminal Disclaimer of U. S. Patent No. 4,774,680 and hereby agree that any patent so granted shall be enforceable only for and during such period that the legal title of said patent shall be the same as the legal title to said U. S. Patent No. 4,774,680, this agreement to run with any patent granted on the above identified application and to be binding upon the grantee of such patent and its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term, as presently shortened by any Terminal Disclaimer of Patent No. 4,774,680 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is now invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), as all claims cancelled by a certificate, or is otherwise terminated prior to the expiration of its

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**Divisional of 311,610**

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statutory term as presently shortened by any Terminal Disclaimer,  
except for the separation of legal titles stated above.

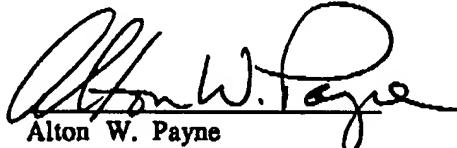
**fee status**

As a small entity and having small entity status, the fee associated with this Terminal Disclaimer is \$50.00 (fifty dollars). A verified statement affirming small entity status has previously been filed.

**Fee Payment**

Attached is a check in the amount of \$50.00 (fifty dollars). Please deduct from my deposit account number 19-3884 for any fee deficiency required by this paper. A duplicate copy of this paper is attached.

Respectfully submitted,

  
Alton W. Payne  
Reg. No. 30,350  
SROUFE, ZAMECKI, PAYNE & LUNDEEN  
1700 West Loop South, Suite 1230  
Houston, Texas 77027  
713/840-8008

Date: May 14, 1991